THIS IS THE <u>BEGINNING</u> OF ADMINISTRATIVE FINE CASE # _______ 2055



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

April 27, 2016

MEMORANDUM

SENSITIVE.

TO:

The Commission

THROUGH:

Alec Palmer

Staff Director

FROM:

Patricia C. Orrock AC PCO

Chief Compliance Officer

Debbie Chacona LC Assistant Staff Director Reports Analysis Division

KOP BH

BY:

Kristin D. Roser/Ben Holly Reports Analysis Division

Compliance Branch

SUBJECT:

Reason To Believe Recommendation – 2016 12 Day Pre-Primary

Report (Illinois) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to timely file the 2016 12 Day Pre-Primary Report for the Illinois Primary Election in accordance with 52 U.S.C. § 30104(a). The 12 Day Pre-Primary Report was due on March 3, 2016 and the Primary Election was held on March 15, 2016.

The committees listed on the attached RTB Circulation Report failed to file the election sensitive report by the required due date. Election sensitive reports filed more than four days prior to the election are considered late, and reports not filed more than four days prior to the election are considered not filed. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, the committees should be assessed the civil money penalty highlighted on the attached circulation report.

Recommendation

- 1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the RTB Circulation Report.
- 2. Send the appropriate letter.

Federal Election Commission Reason to Believe Circulation Report 2016 PRE-PRIMARY Election Sensitive 03/03/2016 AUTH (IL)

AF#	AF# Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	₹	Threshold PV Receipt Date Days Late LOA RTB Penalty	Days Lafe	LOA	RTB Penalty
3054	C00586065	3054 C00586065 STELLA FOR CONGRESS	DOMINICK J. STELLA	EDWARD LOUIS ANTOGNOLI	\$247,810	0	3/25/2016	Not Filed \$106.091	\$106,091	\$5,500
3055	3055 C00581454	THOMAS DAY FOR CONGRESS	THOMAS DAY	BRANDON THOMAS BODOR	\$124,188	0	3/14/2016	Not Filed	\$28,154	\$1,400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	AF 3055
Reason To Believe Recommendation -)	
2016 12 Day Pre-Primary Report)	
(Illinois) for the Administrative Fine)	
Program)	

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 29, 2016, the Commission decided by a vote of 6-0 to take the following actions in AF 3055:

- Find reason to believe that Thomas Day for Congress and Brandon
 Thomas Bodor in his official capacity as treasurer, violated 52 U.S.C.
 § 30104(a) and make a preliminary determination that the civil
 money penalty would be in the amount of \$1,400.
- 2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

Date

Shawn Woodhead Werth

Secretary and Clerk of the Commission

May 2, 2016

Brandon Thomas Bodor, in official capacity as Treasurer Thomas Day for Congress 222 West Merchandise Mart Plaza Chicago, IL 60654

C00581454 AF#: 3055

Dear Mr. Bodor:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-Primary Report of Receipts and Disbursements in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election or nomination for election. This report, covering the period January 1, 2016 through February 24, 2016, shall be filed no later than March 3, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the election, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On April 29, 2016, the FEC found that there is reason to believe ("RTB") that Thomas Day for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before March 3, 2016. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,400. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See http://www.fec.gov/af/af.shtml. 11 C.F.R. § 111.34. Your payment of \$1,400 is due within forty (40) days of the finding, or by June 08, 2016, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$28,154

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the Primary Election held on March 15, 2016 are considered not filed for the purpose of calculating the

penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or June 08, 2016. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. Id. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider, and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Thomas Day for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection

Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at http://www.fec.gov/af/af.shtml. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Matthew S. Petersen

Chair

1619271077

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,400 for the 2016 Pre-Primary Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission P.O. Box 979058 St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox FEC #979058

1005 Convention Plaza

Attn: Government Lockbox, SL-MO-C2GL

St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Thomas Day for Congress

FEC ID#: C00581454

AF#: 3055

PAYMENT DUE DATE: June 08, 2016

PAYMENT AMOUNT DUE: \$1,400



2016 SEP 13 AM 8: 52

SENSITIVE

September 13, 2016

MEMORANDUM

TO:

The Commission

THROUGH:

Alec Palmer

Staff Director

FROM:

Patricia C. Orrock DC DCC

Chief Compliance Officer

Debbie Chacona Assistant Staff Director
Reports Analysis Division

BY:

Kristin D. Roser/Ben Holly BH

Reports Analysis Division

Compliance Branch

SUBJECT:

Administrative Fine Program – Final Determination Recommendation for the

2016 12 Day Pre-Primary Report (Illinois)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 12 Day Pre-Primary Report. The first list represents a committee that paid the civil money penalty and the second list represents a committee that has not paid the civil money penalty. The committee that has not paid has been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

In addition, Thomas Day for Congress (AF 3055) made only a partial payment of the civil money penalty assessed at the RTB stage. As such, the civil money penalty is listed as not paid.

RAD Recommendation

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

Federal Election Commission FD Circulation Report Fine Paid 2016 PRE-PRIMARY Election Sensitive 03/03/2016 AUTH (IL)

mittee Name	Committee Name Committee	Committee	Treasurer	Receipt Date	te Days Late LOA	∀ O	₹	RTB Date	V RTB Date RTB Penalty Final Money Penalty	Final Money Penaity	Date Paid	Amount Paid
			EDWARD LOUIS ,	3000000	Mos Cilad	Policial No. City Card Section 2015	-	04/20/2016	\$5 500	85 500 05/	05/11/2016	\$5 500
OR CONGRESS	54 STELLA FOR CONGRESS DOMINICK J. STELLA . (consecons	ANTOGNOLI	0102/62/60		3	•					

Federal Election Commission FD Circulation Report Fine Not Paid 2016 PRE-PRIMARY Election Sensitive 03/03/2016 AUTH (IL)

THOMAS DAY C00581454 BRANI	AF#	AF# Committee Name	Candidate Committee	Committee	Treasurer	Receipt Date Days Late	Days Late	FOA	Σ	RTB Date	PV RTB Date RTB Penalty Days Since RTB	Days Since RTB	FD Penalty
THOMAS DAY FOR THOMAS DAY C00581454 BRANDON THOMAS 03/14/2016 Not Filed \$28.154 0 04/29/2016			211111						l				
BODOR	100	THOMAS DAY FOR	TUDARAC DAV	C00581454	BRANDON THOMAS	03/14/2016	Not Filed	\$28,154	0	04/29/2016	\$1,400	136	\$1.400
	ccor	CONCRESS	יייייייייייייייייייייייייייייייייייייי	10000	BODOR								

DD.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Administrative Fine Program – Final)	
Determination Recommendation for the)	
2016 12 Day Pre-Primary Report (Illinois):)	
STELLA FOR CONGRESS, and)	AF# 3054
ANTOGNOLI, EDWARD LOUIS MR. as)	
treasurer;)	
THOMAS DAY FOR CONGRESS, and)	AF# 3055
BRANDON THOMAS BODOR as)	
treasurer;)	

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election

Commission, do hereby certify that on September 21, 2016 the Commission took the
following actions on the Administrative Fine Program – Final Determination

Recommendation for the 2016 12 Day Pre-Primary Report (Illinois) as recommended in the Reports Analysis Division's Memorandum dated September 13, 2016, on the following committees:

AF#3054 Decided by a vote of 6-0 to: (1) make a final determination that STELLA FOR CONGRESS, and ANTOGNOLI, EDWARD LOUIS MR. in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3055 Decided by a vote of 6-0 to: (1) make a final determination that THOMAS DAY FOR CONGRESS, and BRANDON THOMAS BODOR in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

Shawn Woodhead Werth

Secretary and Clerk of the Commission

September 22, 2016

Brandon Thomas Bodor, in official capacity as Treasurer Thomas Day for Congress 222 West Merchandise Mart Plaza P.O. Box 4069 Chicago, IL 60654

C00581454 AF#: 3055

Dear Mr. Bodor:

On April 29, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Thomas Day for Congress and you, in your official capacity as treasurer violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 Pre-Primary Report. By letter dated May 2, 2016, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$1,400 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you, as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on September 21, 2016 that Thomas Day for Congress and you, in your official capacity as treasurer violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$1,400 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$28,154

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the Primary Election held on March 15, 2016 are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be

modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted

payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Ben Holly at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,

Matthew S. Petersen

Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$1,400 for the 2016 Pre-Primary Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission PO Box 979058 St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox FEC #979058 1005 Convention Plaza Attn: Government Lockbox, SL-MO-C2GL St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Thomas Day for Congress

FEC ID#: C00581454

AF#: 3055

PAYMENT AMOUNT DUE: \$1,400

Transaction Detail Results

08/29/2016 03:52 PM ET

Agency: FEC Application: Administrative Fine Program Electronic Payment System

Transaction Information
Pay:gov Tracking ID:
Agency Tracking ID:
Account Holder Name: Th
Transaction Date (ET): 05
Transaction Amount: Email Address: 22
Email Address: 22
Event: Sacredit Card Type:
Credit Card Number: Expiration: 07

16192710781

Thomas Day Collection Status:

Thomas Day Collection Status:

5/31/2016-10:57 AM Code:
\$290.00 Approval Code:

4Aproval Code:

4Aproval Code:

4Aproval Code:

4Aproval Code:

4Authorization Response Code:

222 West Merchandise Mart Pleza PO Box 4069 Chicago IL 60654 USA Authorization Response Text:

Sale Card Security Code Result:

MasterCard 07/2019

Batch Pay.gov Tracking ID: Username:

75733386 Public

Success 185872

Custom Collection Fields AF# Committee Name FEC ID

3055

Thomas Day for Congress

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3055